

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
NAMEL NORRIS,	:	
	:	
Plaintiff,	:	
	:	22-CV-9974 (VSB)
-against-	:	
	:	<b><u>ORDER</u></b>
TEXTTEL WIRELESS SERVICES INC., a	:	
New York corporation, d/b/a BOOST	:	
MOBILE STORE, and 166 DELANCEY	:	
LLC, a New York limited liability company,	:	
	:	
Defendants.	:	
	:	
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VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on November 11, 2022, (Doc. 1), and filed affidavits of service on January 23, 2023, and January 25, 2023, (Docs. 7, 8). The deadline for Defendants to respond to Plaintiff's complaint was January 26, 2023. (*See id.*) On February 14, 2023, I directed Plaintiff to seek default judgment by no later than February 28, 2023. (Doc. 9.) I warned, "[i]f Plaintiff fails to do so or otherwise demonstrate that he intends to prosecute this litigation, I may dismiss Plaintiff's claims for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b)." (*Id.*) To date, Defendant has not appeared or responded to the complaint. Plaintiff, however, has not sought default judgment or taken any action to prosecute this case.

Accordingly, Plaintiff's claims are dismissed without prejudice pursuant to Rule 41(b).

The Clerk of Court is respectfully directed to terminate this action.

SO ORDERED.

Dated: March 1, 2023  
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive, flowing style with a large initial "V".

Vernon S. Broderick  
United States District Judge